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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,744	04/25/2001	Alex Ka Tim Poon	PA0253/11269.32	7374

PAPER NUMBER

7590

04/23/2003

STEVEN G. ROEDER THE LAW OFFICE OF STEVEN G. ROEDER 5560 Chelsea Avenue La Jolla, CA 92037

EXAMINER

BROWN, KHALED

ART UNIT

DATE MAILED: 04/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

		KI			
₽ ·	Application No.	Applicant(s)			
	09/842,744	POON, ALEX KA TIM			
Office Action Summary	Examiner	Art Unit			
	Khaled Brown	2877			
The MAILING DATE of this c mmunication app Period for Reply	pears on the cover sheet with the	correspondence address			
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1: after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period of - Failure to reply within the set or extended period for reply will, by statute - Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). Status	36(a). In no event, however, may a reply be to within the statutory minimum of thirty (30) dawill apply and will expire SIX (6) MONTHS from cause the application to become ABANDON	imely filed lys will be considered timely. In the mailing date of this communication. ED (35 U.S.C. § 133).			
1) Responsive to communication(s) filed on 21 F	ebruary 2003 .				
2a) This action is FINAL . 2b) ⊠ Th	is action is non-final.				
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims		·			
4)⊠ Claim(s) <u>45-135</u> is/are pending in the application					
4a) Of the above claim(s) is/are withdraw	wn from consideration.				
5) Claim(s) is/are allowed.					
6) Claim(s) is/are rejected.					
7) Claim(s) is/are objected to.					
8)⊠ Claim(s) <u>45-135</u> are subject to restriction and/o	or election requirement.				
··· <u> </u>	r				
9) The specification is objected to by the Examiner. 10) ☑ The drawing(s) filed on 25 April 2001 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner.					
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).					
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.					
If approved, corrected drawings are required in reply to this Office action.					
12)☐ The oath or declaration is objected to by the Examiner.					
Priority under 35 U.S.C. §§ 119 and 120					
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).					
a) ☐ All b) ☐ Some * c) ☐ None of:					
1. Certified copies of the priority documents	s have been received.				
2. Certified copies of the priority documents	s have been received in Applica	tion No			
3. Copies of the certified copies of the priorapplication from the International BuSee the attached detailed Office action for a list	reau (PCT Rule 17.2(a)).	· ·			
14) Acknowledgment is made of a claim for domesti	c priority under 35 U.S.C. § 119	(e) (to a provisional application).			
 a) ☐ The translation of the foreign language pro 15)☐ Acknowledgment is made of a claim for domesting 	• •				
Attachment(s)	, , ,				
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice of Informal	ry (PTO-413) Paper No(s) Patent Application (PTO-152)			
S. Patent and Trademark Office					

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DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 45-70 and 94-123 drawn to an exposure apparatus, classified in class 355, subclass 53.
- II. Claims 71-93 and 124-135, drawn to a method and article formed, classified in class 430, subclass 4.

The inventions are distinct, each from the other because of the following reasons:

Inventions of Group I and of Group II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus could be utilized in a flood exposure process to over solubilize a positive working resist composition for wafer rework.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

A telephone call was made to Steven Roeder on 4-16-03 to request an oral election to the above restriction requirement, but did not result in an election being made.

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Applicant is advised that the reply to this requirement to be complete must

include an election of the invention to be examined even though the requirement be

traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Khaled Brown whose telephone number is 703-306-

5738. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Frank G. Font can be reached on 703-308-4881. The fax phone numbers

for the organization where this application or proceeding is assigned are 703-308-7722

for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-308-

1782.

KB

April 16, 2003

Supervisory Patent Examiner

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